

Was 20% on Aug 92 and it couldn't go back any further
was taken J back to August '92 when they stated
he was 35% backdated

Jim saying onset

max was 1989

20% (as opposed to MHI's 20% finding)
If Jim was 35% at 92 then obviously he had
disease prior to then and back to his original
date of 89. Anything else is not possible.

Pain in chest 55% ^{heart pains}
nervous disability

24/5/92 to 23.4.93 35%
23.4.93 to 97 50%

) looking for either procedural factor — to get tribunal decision set aside.

The aggravation was NOT unforeseen by ~~the~~ victim. This is why he has fought for reassessment. He new his condition had deteriorated. He argued that only a CT scan would determine his true condition.

Asbestosis is a progressive lung condition. By its very nature aggravation is foreseen; it is a matter of time.

~~if~~ we argue that a CT scan was a necessary and decisive factor in the ~~proceedings~~ victim's appeal

② looking for point of Law outside of natural justice if possible. How

can victim be 20% for 3 years and 35% for six months? Surely by ~~the state's public duty~~ nature of the disease is progressive

WED 30TH NOV

letter to Fleming Reid, to clarify position
on wage loss, (no time bar, no diagnosis)

until 1990 - tried onset 5/5/89

New Kerr report on CT ^(50%) indicates on balance
of probability that the earlier /82) was
osteoporosis-linked

Counsel didn't explain etc
